APPENDIX

Affidavit of Charles Christy RA-1-6

Promotion Recommendation Memo RA-7, 8

John Boschi Deposition RA-9

Vincent Greco Deposition RA-10

John Stewart Deposition RA-11

Charles Christy Deposition RA-12-14

Jim Sperduti Statement RA-15-16

Louis Sperduti Deposition RA-17-24

AFFIDAVIT

Commonwealth of Pennsylvania :
: ss
County of Philadelphia :

I, Charles Christy, being duly sworn according to law do hereby state the following:

1. My interview for the position of Paint Crew Foreman conducted by defendants Boschi, Greco and Stewart was "perfunctory" in nature and lasted only approximately 13 minutes. During the interview, I was not asked any questions concerning: (i) line painting experience; (ii) knowledge of painting specifications (except for a single question); (iii) direction of work crews; (iv) administrative background; (v) ability to prepare and utilize budgets and estimates; (vi) ability to prepare and maintain records and file; (vii) knowledge of safety procedures; (viii) supervisory skills; (ix) planning capabilities; (x) utilization of staff input; (xi) handling of supervisor's directions (except for a single question); (xii) ability to make emergency decisions; or (xiii) computer experience.

2. Defendants Boschi, Greco and Stewart each prepared a written evaluation of me which evaluations were not accurate and did not present a fair evaluation of my qualifications.

3. Louis Sperduti told me that Brady and Boschi had a heated conversation concerning the initial demand letter sent by my attorney to Kevin Longenbach, Esquire, and that

Brady instructed Boschi to "keep his name out of this matter and that this is all your fault and your going to have to deal with it".

4. During my conversation with Boschi on March 17, 1993, Boschi made the following statements:

a. Promotions within the Commission have been and continue to be made on the basis of political patronage;

b. Sean Pilecki was awarded the position not because of his qualifications but because he and his father were politically aligned with defendant Brady (the Democratic Chairman of Philadelphia County) and political officials supported by him and those individuals determine who receive promotions within the Commission;

c. Brady, after being contacted by an elected official, made the decision to promote Sean Pilecki and Brady regularly makes decisions who should be promoted based on political affiliation;

d. Sean Pilecki was Brady's man for the job and that the job would be awarded to him. We just went along with Brady's decision and made sure that Sean got the job. He told me that is how promotions are given out. He stated that merit has nothing to do with it and I should know that. He told me I should know how the political games are played;

e. He told me that I did not receive the promotion because I did not support Defendant Brady or any political officials supported by him and without political

support I would not receive any promotion within the Commission;

f. If I desired to be promoted within the Commission, I must align myself politically with Defendant Brady, Senator Vincent Fumo and other political officials supported by Defendant Brady;

g. William Christy (my father and former Democratic Chairman for Chester County) should use his political affiliation with Senator Fumo to have Defendant Brady create an Assistant Foreman Position at the DeVault Maintenance Facility for Christy and all that was needed for me to become an Assistant Foreman was a phone call from defendant Brady awarding the position to me;

h. An Assistant Foreman Position at the Plymouth Maintenance Facility was recently created for Charlie Jackson in this manner and Carmen DeStefano would also receive a promotion in a similar manner (of course, those individuals were ultimately awarded those positions just as Boschi had said they would be);

i. He was certain that I did not receive the promotion because of my political affiliations and the political affiliations of Sean Pilecki and that he knew the names of some of the politicians involved in the decision not to promote me and that senior level Commission employees were also involved; and

j. He had recently received a number of letters from attorneys representing Commission employees who were dissatisfied with the Commission's promotion practices and that he had to deal with them (he showed me

three (3) of the letters).

5. Louis Sperduti also told me that during a meeting involving Boschi, Stewart, Louis Martin, Esquire, Michael Palermo (a member of the personnel committee) and possibly other Commission employees, that (i) Michael Palermo stated that "the Christy matter is all your fault; you and your big mouth always gets us into trouble; this is the last time; after this you can just pack your bags and you and Stewart are both out," and (ii) Louis Martin stated that "I warned you about Rutan two years ago and you would not listen."

6. Robert Neff ("Neff") (the Commission's Master Mechanic in District Five who occupied an office next to George Pilecki) told me that around the time that the interviews were being conducted for the Paint Crew Foreman position, he received numerous telephone calls from JoAnn Zucker (Brady's administrative assistant) who asked to speak to George Pilecki and that based on what he overheard, he believed that George Pilecki and JoAnn Zucker discussed the filling of the Paint Crew Foreman position.

7. Neff also told me that around the time that my attorneys sent the initial demand letter to Kevin Longenbach, he overheard part of a telephone conversation between JoAnn Zucker and George Pilecki discussing my attorneys' letter and that George Pilecki stated "Yes, I heard the shit's going to hit the fan".

8. Tim Keebler informed me that: (i) defendant Boschi had instructed Michael McClurkin (Equipment Director) to alter the evaluations of one or more of the

candidates for the position of Eastern Division Equipment Supervisor because it was "in the Commission's best interest" that Frank Dunn (who was not among the most qualified candidates) receive the promotion; and (ii) Frank Dunn was originally not among the list of qualified candidates and was not even qualified for the position but Boschi demanded that his name be inserted on the list of the most qualified candidates.

9. Charles Jackson, Frank Procoppio, Nate Brogno, Vince Talucci, Spike DeStefano and Claude Camiel admitted to me that they received patronage promotions.

10. Boschi, Stewart and Greco did not have sufficient personal knowledge of my qualifications and abilities to fairly and adequately evaluate me as a candidate for a promotion with the Commission.

11. I am an active supporter of the Democratic party and serve as a Democratic Ward leader for the Third Ward in West Chester, Pennsylvania. I am also a member of the Chester County faction of Democratic Party. Each of the defendants were aware of my political affiliations prior to the interviews because these facts were disclosed on my Resume' and because an employees' political affiliations were common knowledge among Commission employees, including the defendants. Boschi also told me that he was aware that my father was once a Democratic County Chairman.

12. I recently learned from Al D'Archangleo, a Democratic Committeeman and an employee of the Commission that there have been and continue to be heated disputes among members of the Chester County faction of

the Democratic Party (of which I am a Ward leader) and members of the Philadelphia County faction of the Democratic Party (of which defendant Brady is the Chairman) concerning which candidates should be supported and other political ideologies. I have also recently learned that several of these disputes directly involved Brady and Sheila Chambers, the Democratic Chairwoman for Chester County. Al D'Archangleo told me that earlier this year, he observed a heated debate - shouting, pushing and shoving between Chester County Democrats supporting Sam Stretton and Philadelphia Democrats supporting Joseph Nigro over whose candidate would receive the nomination.

IN WITNESS WHEREOF, the undersigned, Charles Christy, has executed this affidavit on this 16th day of December 1993.

Charles Christy
CHARLES CHRISTY

Sworn to and subscribed
before me this 16th day
of December, 1993.

_____
Notary Public

My Commission expires:

Form PTC-52-08

PENNSYLVANIA TURNPIKE COMMISSION
HARRISBURG

Subject: Eastern Division Paint Crew Foreman
Commission Appointment
Posted 11/9/92 to 11/19/92

January 19, 1993

To: Joseph L. DiRienzo
Director of Human Resources

From: John A. Boschi
Deputy Executive Director - Maintenance

Thru S. M. Palermo
Associate Executive Director

On January 15, 1993, ten candidates were interviewed for the above position. The three below listed candidates, listed alphabetically, have met the minimum requirements for this first line supervisory position.

Charles A. Christy - Current job title, Auto Mechanic at Devault Maintenance. Sixteen years with Pennsylvania Turnpike, mainly automotive field. High school graduate with two years community college. Lacks supervisory experience, has administrative background in automotive field.

Sean D. Pilecki - Current job title, Equipment Operator 2 on Eastern Division Paint Crew. He is a high school graduate with 4½ years experience on the paint crew. He has supervised line painting operations in the absence of the Foreman, during past three years. He displays strong technical skills in the line painting operations, especially in paint machine computer controls. He also is mechanically inclined with experience in H.V.A.C. trades. He is familiar with PTC line painting operations to include safety policies and procedures.

Daniel J. Walters - Outside candidate. Has construction and paving background with utility companies, currently a laborer/foreman trainee with DeMarco Construction in King of Prussia, Pennsylvania. Has crew supervisory experience, but lacks knowledge of line painting operations or line paint equipment.

Updated applications and resumes are attached for above candidates.

Approved: John Sakal Date 11/2/95

S.M. Palermo

pc: S. Palermo
K. Nicholson

Q. And what was your response to that question?

MS. DiPIETRO: Can you read back what his response was to that question?

(The court reporter read back from the record.)

BY MR. HICKEY:

Q. So your position is that the candidates were equally qualified?

A. Yes.

Q. The next question that I asked Mr. Sperduti, didn't John Boschi tell you that Chuck was not given the paint crew foreman position due to political influence exerted by George Pilecki?

Lou Sperduti responded, I'm not sure how he said it, about whether it was due to George Pilecki, but he said that it was political, politics involved.

And do you recall that conversation?

A. No, I do not recall that.

Q. Do you believe that politics were involved behind the promotion of Sean Pilecki to the paint crew foreman position?

MR. BAYLSON: I object to the form of

A. Yes, sir, it is.

Q. And of the three candidates, who did you feel was the most qualified?

A. I felt they were all qualified.

Q. Did you feel that any one was more qualified than the others?

A. First of all, they're all qualified or they wouldn't be on this list because we had scores and no one knew each other.

We took each question and each answer and knowing what the job was Mr. Pilecki did under me, I was hoping he would get the position. But that was the end of it. That's out of our hands after that interview.

Q. So you were pulling for Sean?

MR. BAYLSON: I object. He didn't say that. You asked him his privately held opinion.

MR. HICKEY: Which was he would have liked to have seen Sean get the job.

MR. BAYLSON: He said he didn't communicate that to anybody.

BY MR. HICKEY:

Q. Now, other than the evaluation memo,

job?

A. Not in my opinion.

Q. In your opinion, do you feel that Sean Pilecki was more qualified for the job than Mr. Christy?

A. I think they were all equally qualified.

Q. If you had to pick a candidate to fill the position of paint crew foreman, which candidate would it be?

MR. BAYLSON: I object. I don't know how he can answer that without speculating. I don't want you to speculate. If you can answer that without speculating.

THE WITNESS: It's not my position to select the final candidate for the position.

BY MR. HICKEY:

Q. But did you develop an opinion as to who you thought the most qualified candidate was?

A. I did that by my scores. I placed them all three on the list of qualified applicants.

Q. So you thought based on your score that Mr. Christy was the most qualified applicant?

political affiliation?

A. No, he told me he felt I was the best man for the job, but there was nothing he could do. His hands were tied, that Brady was the man with the power, Brady got all the jobs.

He was very specific about that.

Q. And besides what Mr. Boschi told you, do you have any other facts that indicate that Mr. Boschi took some conduct or adverse action based on your political affiliation?

A. No, I do not.

* * *

EXAMINATION

* * *

BY MR. HICKEY:

Q. Chuck, did you have a conversation with Jim Sperduti regarding information that Sean Pilecki had told him?

A. Yes.

Q. And what did Jim Sperduti tell you?

A. He told Jim that he had done what he had

to do.

Sean told Jim that he did what he had to do and that I wasn't too far off on the Morris name, but, in fact, there were several politicians his dad got a hold of for Sean to get that job, and that he hoped there were no hard feelings.

Q. Did you have any conversations with Lou Sperduti as to who he thought was the most qualified man to fill the paint crew foreman position?

A. Yes.

Q. What did Lou Sperduti tell you?

A. That he felt that if the two of us were compared, if it was Chuck against Sean, he would definitely pick Chuck, and he says that even today.

Q. When he recommended Sean for the position of paint crew foreman, based on your conversations with Lou Sperduti, was he aware that you were up for the position of paint crew foreman at the time he recommended Sean?

A. No, he was not. He said they were always comparing Randy with Sean, and that he

felt Randy was a bum and that he would not recommend Randall.

Q. Did you have any discussions with Mike Haney as to who he thought was the most qualified man for the paint crew foreman position?

A. Yes, I did.

Q. And what did Mike Haney tell you?

A. That he would recommend me for the job without a doubt, that I could do that job, and he doesn't see how they could ever choose Sean to do that job.

Q. Did he tell you whether he was ever contacted in connection with the filling of the paint crew foreman position?

A. No one ever asked him.

Q. Apart from Lou Sperduti's recommendation of Sean Pilecki, did anyone else within the Commission contact Lou Sperduti to get an evaluation or any information on your background?

A. No, they did not.

Q. Based on your conversations with Richard Rowland, did Richard Rowland ever tell you

July 27, 1993

Dear Chuck:

The purpose of this letter is to provide you with an affidavit setting forth my recollection of a conversation between you and John Boschi, which I heard on or about Wednesday, March 17, 1993. The conversation was as follows:

1. You asked John if there was a specific reason why you were not selected to be the paint crew foreman. John responded that you had an excellent record and that your record had nothing to do with why you were not selected.

2. You then asked John what you had to do to get a promotion. John told you that you or your father had to speak with Robert Brady because he is the one who gets the jobs.

3. You responded that you wanted to earn the position on your own merit and asked if this was the only way to be promoted. John stated that the promotion process was 99% political and that you have been around here long enough to know that.

4. You then asked how Shawn Pollecki received the promotion. John responded that Shawn's father spoke to Senator Morris who talked to Brady and asked him to award the position to Shawn.

5. John suggested that your father should get in

touch with Senator Fumo and have him tell Brady to create an assistant foreman job at DeVault. John told you that they were going through this process at Plymouth right now and that he would have to give the assistant job to Charlie Jackson even though he did not want to. John then stated that he would then have to create a job for Spike to keep him happy. John told you that all he needed was a phone call from Brady and you would get the job.

6. You told John that you have nothing against Shawn but 17 years of service should count for something. John responded that although you were the best man for the job he could not help you.

The foregoing statements are true and correct to the best of my knowledge, information and belief.

Very truly yours,

Jim Sperduti

Q. Yes.

A. He helped to develop it, yes, he did.

Q. Did Chuck ever have a mechanic's helper report to him?

A. Yes.

Q. And what would Chuck's responsibilities vis-a-vis a mechanic's helper be?

A. Advise him as to what he had to do during the course of the day and sometimes how to do it.

Q. Did he supervise the mechanics' helpers?

A. I would say he was supervising them, yes.

Q. As part of Chuck's responsibilities, was he responsible for keeping administrative records?

A. Yes, they have a lot of records to keep, the mechanics do.

Q. And what type of records would he keep?

A. Maintenance, what they done to the vehicles, signing out parts, they used to order parts, too, in fact, they still do.

Q. Did Chuck keep accurate files and records?

A.. To the best of my knowledge, yes.

Q. In the preventative maintenance and repair area, was Chuck a good mechanic?

A. Yes, he was.

Q. Did he have the ability to maintain the paint equipment?

A. He helped us out a lot of times, yes.

Q. Did he have any special knowledge concerning various other pieces of equipment that the Commission utilizes?

A. Yes, message boards, the barrier machine and computerized spreaders and everything we had really up there.

Q. Does Chuck possess the ability to repair virtually all of your equipment?

A. Yes, he has to be.

Q. Does Chuck interact well with the public?

A. As far as I know. Since I've been there he has, yes.

Q. Does he interact well with his fellow employees?

A. Yes.

Q. Is he willing to work overtime, if needed?

A. Oh, yes.

Q. What about Chuck's safety experience?

MR. BAYLSON: I object to the form of the question.

THE WITNESS: Safety in his every day work habits?

BY MR. HICKEY:

Q. Yes.

A. He was a pretty safe guy to work with.

Q. Does Chuck know CPR?

A. Yes, he does. He had to know when he was the first responder.

Q. When the position paint crew foreman first came up, I understand that George Pilecki contacted you.

A. Yes.

Q. He contacted you more than once.

A. Yes, he did.

Q. In fact he spoke with you frequently.

A. Yes, he did.

Q. He spoke to you about his son, Sean.

A. I was on the paint machine. That's all I can say.

Q. I have another document that I'd like you to take a look at and we'll call it L.

Sperduti-2. It's a memorandum to the director of human resources from John Boschi.

(Exhibit number L. Sperduti-2 was marked for identification.)

BY MR. HICKEY:

Q. In the exhibit Boschi informs the director of human resources that Sean is supervising line painting operations in the absence of a foreman during the past three years; is that a correct statement?

A. Not to the full extent, no. Like I said a while ago, I answered your questions about it, he was like, he used to help me out but as far as direct supervision, no. If I was gone for any length of time they used to send Al Greco out there.

Q. And you testified that he acted as an administrator in your absence?

A. Yes, like I said, he used to look after things for me and bring back the results to

me, because I had to make up that daily report.

Q. But he wasn't the foreman?

A. No, he wasn't the foreman, no.

Q. Did Sean ask you for a recommendation?

A. Yes, he did.

Q. And who did you give that recommendation to?

A. I didn't write anything on paper. I told John Boschi about it.

Q. And what did you tell Mr. Boschi?

A. I told him that I would recommend Sean for the paint machine foreman.

Q. Did you tell him why?

A. Out of the four on the paint machine, I'd say he was the best one, yes.

Q. You based your recommendation on the fact that he was the best one out of the four individuals on the paint crew?

A. That's right.

Q. And at the time you gave the recommendation, were you aware of who the other candidates were?

A. Not right at the first time but after a few days went by, I knew who part of them was but

politicians involved?

A. No, he might have but I'm not sure who it was.

Q. Didn't John Boschi tell you that Chuck Christy was the most qualified man for the paint crew foreman position?

A. Yes, he did.

Q. Didn't John Boschi tell you that Chuck was not given the paint crew foreman position due to political influence exerted by George Pilecki?

MR. BAYLSON: I object to the form of the question.

THE WITNESS: I'm not sure how he said it, about whether it was due to George Pilecki, but he said that it was political, politics involved.

BY MR. HICKEY:

Q. And he told you that it was because of the politics that Chuck didn't get the position?

A. Well, he didn't say it that way. He said Sean would probably get the job on account of the political push.

Q. Did you discuss the politics behind the promotion of Sean Pilecki with Vince Greco?